

WV Innocence Project 22-23



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From the Director's Desk

As we work hard to free the innocent, we sometimes forget the impact our work has outside of the courtroom. For individuals forgotten by the criminal legal system, we are often the last glimmer of hope. I recently received a phone call from a former client, Chris, to thank me for visiting him in prison because that visit uplifted him until he achieved parole. At first, I was surprised to hear from Chris because we were unsuccessful in proving his innocence despite two years of diligently searching for necessary evidence. I vividly remember visiting Chris in solitary confinement with my students. The room was hot, small, and cramped. The conversation

was difficult because the facts leading to Chris's conviction were tragic. However, during our talk, Chris and I forged a connection when he understood that the students and I truly believed in his innocence. While this conversation made an impression on the client and me, perhaps more importantly, the students were visibly moved by our interaction.

Chris's recent phone call was a reminder that while our ultimate goal is to free those who have been wrongfully convicted, WVIP's very presence has positive consequences on the lives of the innocent yet still incarcerated. This is important to remember because the road to freedom for our clients is long and arduous. It is also a reminder that the service we provide to law students goes far beyond the classroom. Through the WVIP clinic, our students learn what it means to work for another human being and to bear their hope with you in the work. Because of those phone calls from former clients, we remain dedicated to pursuing freedom for the wrongfully convicted and spreading hope and inspiration along the way.

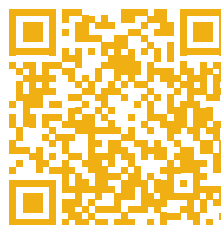
Melissa Giggenbach
Program Director
West Virginia Innocence Project

WHAT IS THE WVIP?

The West Virginia Innocence Project is a legal clinic that aims to serve and to free innocent West Virginians who are in prison for crimes they did not commit. We also work to fix the problems that lead to wrongful convictions in our legal system and focus on those issues important to the people of West Virginia.

We are staffed by six to twelve third year law students, four to five undergraduate interns, one staff attorney and one program director.

Support the WV Innocence Project



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- **WVIP was awarded the Upholding the Rule of Law and Preventing Wrongful Convictions grant** from the Dept. of Justice. The award, \$359,000 over two years, provides the salary for the staff attorney, a part-time screening specialist, money for experts, investigators, travel, and court files. This money has permitted WVIP to significantly reduce our backlog of pending applications, hire experts in two cases, and travel to visit clients. *This funding runs out October 2024.*
- **WVIP filed a post-conviction motion** using the Junk Science bill drafted by WVIP, in collaboration with The Innocence Project’s state policy advisor, and signed into law in 2021. This bill updated the state’s post-conviction statute to provide

an avenue for relief for people who were convicted using debunked forensic science.



- **Documentary/podcast- WVIP** Program Director Melissa Giggerbach and former clinical law student Eric Lasky appeared in a six-episode docuseries and podcast called CSI on Trial speaking about

the forensic and legal credibility of using pattern-matching disciplines like footwear analysis.



- **Staff attorney Devon Unger, law students and interns** represented WVIP at WVU’s Day at the Legislature in Charleston, WV. The group met with legislators and the public regarding issues surrounding wrongful convictions.

Budget and Expenses

WVIP is very fortunate to be a clinical legal program at the College of Law, which provides the salary for the program director, manpower in the form of law students, and resources such as office space and essential services like shared administrative assistant, computers, and other office needs.

However, in order to fulfill its mission of freeing the wrongfully convicted and preventing wrongful convictions from occurring initially, WVIP must raise additional funds to support critical operations. Crucially, the staff attorney position is entirely funded by grant funding and by donations from foundations and individuals. The staff attorney position is vital to the organization’s ability to represent and free wrongfully convicted West Virginians. Beyond funding the staff attorney position, additional funding is needed to travel to investigate cases and attend hearings, obtain court files, contract with forensic experts and private investigators, provide forensic testing, and explore ways to provide systemic change.

FY23 Total Support:

\$203,329

WVU College of Law	\$87,330
Upholding the Rule of Law and Preventing Wrongful Convictions grant	\$84,611
Jeremy C McCamic Family Foundation	\$12,500
WV State Auxiliary of Fraternal Order of Eagles	\$11,342
Wilson Frame and Metheny	\$2,584
Martha Gaines and Russell Wehrle Memorial Foundation	\$2,500
Individual donations	\$2,462.35

FY23 Total Expenses:

\$177,375

Personnel	\$164,364
Legal travel	\$9,082.59
Equipment	\$2,017
Professional fees and contract services	\$1,228
Promotional materials	\$329.92
Legal investigation	\$146.81
Misc (printing)	\$122.99
Mail	\$83.23